



## **Acton Zoning Board of Appeal**

### **Minutes of Meeting**

**July 20, 2016**

**Acton Town Hall**

**Room 126**

Zoning Board of Appeal members in attendance: Jonathan Wagner, Chairman; Richard Fallon, and Adam Hoffman. Staff present: Robert Hummel, Assistant Town Planner; Kristen Guichard, Assistant Town Planner; Katelyn Huffman, Board of Appeals Secretary.

Also Present: Corrina Roman- Kreuze of 300 Central Street; Deb Colby of 294 Central Street; Terra Friedrichs; Andrea Vient and John Vient, Applicants; Scott Hayes, of Foresite Engineering.

Mr. Wagner opened the meeting on July 20, 2016 at 7:34PM.

#### **I. Consent Agenda**

The meeting minutes for June 6, 2016 and June 28, 2016 were approved and passed unanimously.

#### **II. Hearing # 16-04 (Continuation) 296-298 Central Street**

- Mr. Wagner opened the hearing at 7:45PM and reintroduced the board and applicants. Mr. Wagner reviewed the previous concerns about the proposed design and placement of the proposed new duplex. The applicants are applying for a special permit to build a duplex, which is classified in the ZBL as Two-Family Dwelling (section 3.3.2).

Scott Hayes, of Foresite Engineering submitted new plot plan dated July 20, 2016. He explained that the new plans addressed the concerns with grading, utilities, erosion controls, and drainage.

Mr. Wagner commended the applicant, acknowledged the changes and confirmed that the design plans were new and that there was now a detached garage in the back of the building, the rooflines were moved, there was an appropriate walkway, and that most of the Design Review Board (DRB) suggestions had been incorporated into the plans.

Ms. Vient informed the Board that the DRB had asked for wood siding instead of vinyl. According to her research many abutting properties also had vinyl siding and she would like to use vinyl siding also.

The Board reviewed each memo that was submitted to the Board and went over any concerns that they had. The Board cited instances in the Fire Department Memo, the Engineering Memo, the DRB Memo, the Building Department Memo, the Health Department Memo and the Planning Department Memo. The Board agreed that the suggestions in the memos should be taken into consideration whilst rendering a decision.

Mr. Wagner opened the floor to public comment.

Deb Colby of 294 Central Street wanted to know why the applicant wanted vinyl over wood siding.

Mr. Vient explained that it was more cost effective and more marketable to future buyers.

Ms. Colby also inquired about the setback from the edge of the sidewalk to the house.

Mr. Hayes confirmed that it would be 11 ft.

Ms. Colby asked about landscaping the property, and if it would be cleared of trees.

Mr. and Ms. Vient replied they would not cut anything down unless absolutely necessary.

Corinna Roman-Kreuze of 300 Central Street expressed concern over an unhealthy ash tree and would like to see it be cut down. She also expressed the desire to keep a maple tree on the property.

Mr. and Ms. Vient confirmed that they would take her requests into consideration while landscaping the property.

Terra Friedrichs wanted to know if the elevation plans presented to the DRB will be referred to in the approval; and will the building permit plans also comply and no changes be made?

Mr. Fallon confirmed that the Board will refer to the plans submitted July 20, 2016.

Ms. Friedrichs asked if the elevation had changed in the plans.

Mr. Hayes confirmed that it had not changed.

Ms. Friedrichs requested that if there were a retaining wall that it is made of natural stone and that the applicant consider using wood paneling on at least one side of the house to keep with the historic look.

After all concerns were heard Mr. Fallon moved to close the public hearing. Mr. Hoffman seconded the motion. The motion carried unanimously. The Board deliberated the plans and their findings and set forth their decision with conditions.

Assistant Town Planners, Robert Hummel and Kristen Guichard reminded the Board of the Planning Department's memo under section (b) regarding the Town's General Bylaw Chapter O, Revocation or Suspension of Local Licenses and that this property owes significant back taxes.

The Board decided not to include a condition requiring compliance with Chapter O.

### **Mandatory Findings**

- The Board of Appeals found the application met all the mandatory findings under section 10.3.5 for a Special Permit.

### **Conditions**

- Must be in compliance with most recently submitted plans and plot plans filed on July 20, 2016

- Must comply with all requirements stated in the Engineering Department Memo
- Subject to issuance of Land disturbance permit by Engineering Department
- Must comply with all requirements of all Fire Department regulations and applicable code; including but not limited to sprinkler system in garage or as Fire Department may otherwise approve.
- Approval of the Septic System by the Board of Health
- Vinyl Siding or Wood Siding at option of applicant
- Natural Stone or Engineered Block for retaining wall at option of applicant.

Mr. Hoffman moved to approve the Special Permit

Mr. Fallon seconded the motion.

The motion carried unanimously.

The meeting was adjourned at 9:00pm.

Respectfully Submitted,

Katelyn Huffman